

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 CHARLES C. NORRIS,

4 Plaintiff

Case No. 2:19-cv-01424-KJD-DJA

ORDER

5 v.

6 SHERIFF JOE LOMBARDO, et al.,

7 Defendants
8

9 **I. DISCUSSION**

10 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections
11 (“NDOC”), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 (ECF No.
12 1-1). However, Plaintiff has neither paid the full filing fee for this matter nor filed a
13 complete and proper application to proceed *in forma pauperis*. Plaintiff has provided a
14 document he calls a “Motion to Proceed In Forma Pauperis” (ECF No. 1), but it is not on
15 the proper form and does not include the required information. Under 28 U.S.C. §
16 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must file a complete and proper application
17 to proceed *in forma pauperis* and attach both an inmate account statement for the past
18 six months and a properly executed financial certificate.

19 As such, the Court will retain the Plaintiff’s civil rights complaint (ECF No. 1-1), but
20 will not file it until this matter is resolved. Plaintiff will be granted an opportunity to file a
21 complete and proper application to proceed *in forma pauperis*, or in the alternative, pay
22 the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in*
23 *forma pauperis* he must file a fully complete application to proceed *in forma pauperis*,
24 including both an inmate account statement and a properly executed financial certificate.

25 **II. CONCLUSION**

26 For the foregoing reasons, IT IS ORDERED that Plaintiff’s Motion to Proceed In
27 Forma Pauperis (ECF No. 1) is denied without prejudice for the filing of a new application.

28 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the

1 approved form application to proceed *in forma pauperis* by a prisoner, as well as the
2 document entitled information and instructions for filing an *in forma pauperis* application.

3 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,
4 Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis*, on
5 the correct form with both a properly executed financial certificate and the required inmate
6 account statement in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for
7 filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

8 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
9 dismissal of this action may result.

10 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint
11 (ECF No. 1-1) but will not file it at this time.

12 DATED this 21st day of August 2019.

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15 DANIEL J. ALBREGTS
16 UNITED STATES MAGISTRATE JUDGE
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